<table>
<thead>
<tr>
<th>Handout</th>
<th>Received</th>
<th>Read</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug-Free Workplace Policies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Campus Crime &amp; Statistics</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Americans with Disabilities Act Information</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minor Children on Campus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Donation to the General Scholarship Fund</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Harassment Policies &amp; Procedures</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use of Tobacco</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Concealed Weapons</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Complaint Procedures</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee Standards of Conduct</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee Welfare</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student Welfare</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CBC Equal Opportunity Policy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Affirmative Action Program Policy Statement</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I, _______________________________ have received and/or read the above handouts.

_________________________________________  ________________
Signature                                      Date

DETACH THIS SHEET AND RETURN TO HUMAN RESOURCES

Coastal Bend College does not discriminate on the basis of race, creed, color, national origin, gender, age, or disability.
Drug Free Workplace Policies:
Employees or students who have drug or alcohol problems must seek counseling. Substance abuse or failure of rehabilitation therapy may lead to job termination following due process procedures outlined in the policy manual. CBC Policy Manual DO (Local)

Each employee shall abide by policies in this document, and in the policy manual. Employees must notify the college president of any on-campus criminal drug statute violation within five days of a plea of guilty by a trial court.

Within 30 days of receiving such notice described above for a workplace drug statute violation, policy requires the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by governing entities.

The telephone number for CBC Dean of Student Services Office is 361-354-2304. The office personnel will make appropriate referrals to area treatment centers. No punitive actions will be taken against first-offenders participating in rehabilitative drug or alcohol abuse counseling.

The possession of the following substances on campus, or at college-sponsored student activities, is an offense:
1. Any controlled substance or dangerous drug is defined by law. That includes any non-prescription marijuana, narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate;
2. Alcoholic beverages;
3. Abusable glues, aerosols, or other volatile chemical inhalation substances;
4. Other intoxicants, mood-changing, non-prescription, mind-, or behavior altering chemicals.

The transmittal, sale, or attempted sale of any of the above-listed substances is prohibited under this policy. Those who use drugs authorized by licensed physicians, and legally prescribed specifically for that individual’s uses, are no in violation.

Campus Crime & Institutional Response:
Employees and students are to report any campus crimes to the Dean of Student Services in Beeville or to the Alice, Kingsville, or Pleasanton Campus Director/Coordinator either prior to or immediately after notifying the Police Department. The Dean of Student Services or the appropriate Campus Director/Coordinator will contact the appropriate law enforcement authority, and initiate a campus investigation. If and when anyone is identified and charged with the crime, the Dean of Student Services or the appropriate Campus Director/Coordinator will initiate appropriate suspension (as warranted). Anyone subjected to disciplinary proceedings shall be afforded due process outlined in the policy manual. Victims of violence will have access to the institutional disciplinary proceedings against the alleged perpetrator of the crime.

Coastal Bend College, in compliance with the Crime Awareness and Campus Security Act of 1990, continually collects statistics on campus crime. An annual report is prepared and distributed to students and employees. The following statistics have been reported for the past three years by the chiefs of police, Alice, Beeville, Kingsville, and Pleasanton and the Bee County Sheriff’s Department.

From July 1, 2009 through August 31, 2010:
- Alice Center: 1 theft
- Bee County Campus: 1 assault, 5 burglaries, 1 burglary of a motor vehicle, 3 arrests on public property, 2 drug violations
- Kingsville Center: 2 thefts, 1 drug violation, 1 alcohol violation, 2 arrests occurred on public property
- Pleasanton Center: 1 burglary of a motor vehicle, 1 weapons violation, 1 drug violation

From July 1, 2010 through August 31, 2011:
- Alice Center: 1 theft, 1 burglary of motor vehicle, 1 drug violation, 1 arrest
- Bee County Campus: 2 thefts, 2 burglaries, 1 burglary of a motor vehicle, 4 drug violation, 3 alcohol violation, 2 arrests
- Kingsville: 1 motor vehicle theft, 1 arrest
- Pleasanton: No incidents reported

From July 1, 2011 through August 31, 2012:
- Alice Center: No incidents reported
- Bee County Campus: 1 sexual assault, 1 assault, 3 thefts, 3 burglaries, 1 burglary of motor vehicle, 4 arrests
- Kingsville: 1 alcohol violation, 1 arrest
- Pleasanton: 1 assault, 1 theft, 1 vandalism of property

Coastal Bend College does not discriminate on the basis of race, creed, religion, color, national origin, gender, age, or disability.
Americans with Disabilities Act Information:
Coastal Bend College maintains a barrier-free campus. Employees should notify the Director of Human Resources of any barrier on college property which inhibits mobility or accessibility to teaching or learning environments. Employees must notify their immediate supervisor of any special equipment or assistance needed to perform their assigned duties within the first five days of employment. CBC Policy Manual DOA (Local)

Minor Children on Campus:
Minor children are not allowed on campus while student parents are attending classes and CBC employees are performing their responsibilities at work. Minor children who are visiting the campus with parents conducting college business must be under direct supervision and control of their parents or guardians at all times.

Donation to the General Scholarship Fund:
CBC Employees and other interested individuals are welcome to make contributions to the CBC General Scholarship Fund. Scholarship contributions are accepted in celebration of special occasions in lieu of flowers or gifts. Donations are also accepted with great appreciation in a memorial remembrance of family or community members. These contributions will be acknowledged by a card of sincere thanks. CBC scholarships will be used to reward academic excellence among full-time students. Gifts made to the Coastal Bend College Foundation, a 501 (c)(3) tax-exempt organization, are tax-deductible as allowed by law. Upon accepting your contribution, we will promptly forward a gift receipt to you. For more information, contact Christy Lansford the Foundation Executive Director at 361-354-2447.

Harassment- Policies and Procedures:
Students and employees are prohibited from causing tension for other CBC students, CBC employees, or disabled individuals by demeaning or harassing conduct, including animosity engendered by inappropriate religious, racial, or sexual conduct or comments. CBC Policy Manual DOA (Local) & FDE (Local)

Anyone exhibiting this behavior will be disciplined in accordance with college policy. Harassment of any nature is in violation of CBC’s institutional objective to promote an optimum learning environment.

Harassing conduct by an employee should be reported to the employee’s immediate supervisor. Student misconduct should first be reported to the instructor, if occurring in the classroom. The Dean of Student Services records complaints and guides individuals through grievance procedures.

Use of Tobacco:
In order to protect and promote the health, safety, and welfare of employees, students and the public, Coastal Bend College will provide an environment free from exposure to tobacco smoke. Neither smoking nor the use of tobacco products (cigars, cigarettes, pipes, chewing tobacco, and snuff) is permitted in college facilities or in college-owned vehicles.

Administrators and other supervisory personnel shall take appropriate steps to provide adequate notice that smoking will not be permitted within college facilities and college-owned vehicles.

1. The Physical Plant Director will ensure that signs are appropriately placed in all college facilities and vehicles.
2. The use of tobacco is permitted in outdoor areas including patios, courtyards, and open breezeways.
3. The sale of tobacco products on campus is prohibited.

Concealed Weapons:
Governor George W. Bush signed the Concealed Handgun Bill which allows eligible individuals who have acquired a permit to carry a concealed weapon. However, according to the Texas Penal Code, Section 46.03 entitled “Places Weapons Prohibited”:

IT IS ILLEGAL FOR AN INDIVIDUAL TO CARRY A FIREARM ON THE CAMPUS OF AN EDUCATIONAL INSTITUTION.

Therefore, in spite of the legalization to carry a firearm, this law will NOT allow a person to carry a weapon on any property owned or leased by Coastal Bend College. This includes all off campus sites, college housing, and the day care center.

Your cooperation in ensuring the safety of our campus community is appreciated. If you have any questions about the law or these instructions, please call the Human Resources Office at 361-354-2224.

Coastal Bend College does not discriminate on the basis of race, creed, religion, color, national origin, gender, age, or disability.
A College District shall take no action abridging the freedom of speech or the right of the people to petition the Board for redress of grievances.  

_U.S. Const. Amend. I, XIV_  

The Board may confine its meetings to specified subject matter and may hold nonpublic sessions to transact business. But when the Board sits in public meetings to conduct public business and hear the views of citizens, it may not discriminate between speakers on the basis of the content of their speech or the message it conveys.  


Employees shall have the right, in a peaceable manner, to assemble together for their common good and to apply to those invested with the powers of government for redress of grievances or other purposes, by petition, address, or remonstrance.  

_Tex. Const., Art. I, Sec. 27_  

There is no requirement that the Board negotiate or even respond to complaints. However, the Board must stop, look, and listen and must consider the petition, address, or remonstrance.  

_Prof'ls Ass'n of College Educators v. El Paso County Cnty (College) Dist._, 678 S.W.2d 94 (Tex. App.—El Paso 1984, writ ref'd n.r.e.)  

The College District that receives federal financial assistance, directly or indirectly, and that employs 15 or more persons shall adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973.  

_34 CFR 104.7(b),11_  

The College District that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by the Code of Federal Regulations, Title 28, Part 35 (Americans with Disabilities Act regulations).  

_28 CFR 35.107,140_  

The College District that receives federal financial assistance, directly or indirectly, shall adopt and publish grievance procedures providing for prompt and equitable resolution of employee complaints alleging any action prohibited by Title IX of the Education Amendments of 1972.  

_34 CFR 106.8(b); North Haven Bd of Educ. v. Bell_, 456 U.S. 512 (1982)
The prohibition against collective bargaining and strikes [see DGA] does not impair the right of employees to present grievances concerning their wages, hours of employment, or conditions of work, either individually or through a representative that does not claim the right to strike.  Gov't Code 617.005

The term "conditions of work" should be construed broadly to include any area of wages, hours, or conditions of employment, and any other matter that is appropriate for communications from employees to employer concerning an aspect of their relationship.  Att'y. Gen. Op. JM-177 (1984); Corpus Christi Fed. of Teachers v. Corpus Christi Indep. Sch. Dist., 572 S.W.2d 663 (Tex. 1978)

The statute protects grievances presented individually or individual grievances presented collectively.  Lubbock Prof'l Firefighters v. City of Lubbock, 742 S.W.2d 413 (Tex. App.—Amarillo 1987, writ ref'd n.r.e.)

The College District cannot deny an employee's representative, including an attorney, the right to represent the employee at any stage of the grievance procedure, so long as the employee designates the representative and the representative does not claim the right to strike.  Lubbock Prof'l Firefighters v. City of Lubbock, 742 S.W.2d 413 (Tex. App.—Amarillo 1987, writ ref'd n.r.e.); Sayre v. Mullins, 681 S.W.2d 25 (Tex. 1984)

The College District should meet with employees or their designat-ed representatives at reasonable times and places to hear grievances concerning wages, hours of work, and conditions of work. The right to present grievances is satisfied if employees have access to those in a position of authority to air their grievances. However, that authority is under no legal compulsion to take action to rectify the matter.  Att'y. Gen. Op. H-422 (1974); Corpus Christi Indep. Sch. Dist v. Padilla, 709 S.W.2d 700 (Tex. App.—Corpus Christi 1986, no writ)

A Board is not required to conduct an open meeting to hear a complaint or charge against an employee. However, a Board may not conduct a closed meeting if the employee who is the subject of the hearing requests a public hearing.  Gov't Code 551.074 [See BDA]

A Board may conduct a closed meeting on an employee complaint to the extent required or provided by law.  Gov't Code 551.082 [See BDA]

Before bringing suit, an employee who seeks relief under Government Code Chapter 554 (whistleblowers) must initiate action under the College District's grievance or appeal procedures relating to suspension or termination of employment or adverse personnel action.  Gov't Code 554.006 [See DG]
The Board encourages employees to discuss their concerns and complaints through informal conferences with their supervisor. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

If an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.

The College District shall inform employees of this policy.

Neither the Board nor any College District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.

Whistleblower complaints shall be filed within the time specified by law. Such complaints shall first be filed in accordance with LEVEL THREE, below. Time lines for the employee and the College District set out in this policy may be shortened to allow the Board to make a final decision within 60 days of the initiation of the complaint. [See DG]

In this policy, the terms "complaint" and "grievance" shall have the same meaning. This policy shall apply to all employee complaints, except as provided below.

This policy shall not apply to:

1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability). [See DOA]

2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violations of Title VII. [See DOA]

3. Complaints concerning retaliation relating to discrimination and harassment. [See DOA]
4. Complaints concerning a commissioned peace officer who is an employee of the College District. [See CHA]

5. Complaints concerning an employment preference for former foster children. [See DC]

6. Complaints arising from the dismissal of term contract employees. [See DMAA]

7. Complaints concerning the nonrenewal of term contract employees. [See DMAB]

GENERAL PROVISIONS

FILING

Complaint forms and appeal notices may be filed by hand-delivery, fax, or U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Fax filings shall be timely filed if they are received on or before the deadline, as indicated by the date/time shown on the fax copy. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

RESPONSE

At Levels One, Two, and Three “response” shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered or sent by U.S. Mail to the employee’s mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

DAYS

“Days” shall mean College District business days, unless otherwise noted. In calculating time lines under this policy, the day a document is filed is “day zero.” The following business day is “day one.”

REPRESENTATIVE

“Representative” means any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.

The employee may designate a representative through written notice to the College District at any level of this process. If the employee designates a representative with fewer than three days’ notice to the College District before a scheduled conference or hearing, the College District may reschedule the conference or hearing to a later date, if desired, in order to include the College District’s counsel. The College District may be represented by counsel at any level of the process.

CONSOLIDATING COMPLAINTS

Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not bring separate or serial complaints arising from any event or series of
events that have been or could have been addressed in a previous complaint.

When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the College District may consolidate the complaints.

**UNTIMELY FILINGS**

All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

**COSTS INCURRED**

Each party shall pay its own costs incurred in the course of the complaint.

**COMPLAINT FORM**

Complaints under this policy shall be submitted in writing on a form provided by the College District.

Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference.

A complaint form that is incomplete in any material aspect may be dismissed, but may be refiled with all the required information if the refiling is within the designated time for filing a complaint.

**LEVEL ONE**

Complaint forms must be filed:

1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and

2. With the lowest level administrator who has the authority to remedy the alleged problem.

In most circumstances, employees shall file Level One complaints with their immediate supervisor. The complaint, however, may begin at the first level at which the administrator has the authority to remedy the complaint.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint
form was received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and hold a conference with the employee within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

The administrator shall provide the employee a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

If the employee did not receive the relief requested at Level One or if the time for a response has expired, the employee may request a conference with the College President or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the College District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The employee may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the employee at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The College President or designee shall hold a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues presented by the employee at Level One and identified in the Level Two appeal notice. At the conference, the employee may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Level Two administrator may set reasonable time limits for the conference.
The Level Two administrator shall provide the employee a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Level Two administrator may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Level Two administrator believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

If the employee did not receive the relief requested at Level Two or if the time for a response has expired, the employee may request a conference with the College President or designee to appeal the Level Two decision.

The appeal notice must be filed in writing, on a form provided by the College District, within ten days after receipt of a response or, if no response was received, within ten days of the response deadline at Level Two.

After receiving notice of the appeal, the Level Two administrator shall prepare and forward a record of the Level Two complaint to the Level Three administrator. The employee may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The written response issued at Level Two and any attachments.
3. All other documents relied upon by the Level Two administrator in reaching the Level Two decision.

The College President or designee shall hold a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues presented by the employee at Level One and identified in the Level Three appeal notice. At the conference, the employee may provide information concerning any documents or information relied upon by the administration for the Level Two decision. The Level Three administrator or designee may set reasonable time limits for the conference.

The Level Three administrator shall provide the employee a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Level Three administrator may consider the Level One and Level Two records, information provided at the Level Three
conference, and any other relevant documents or information the Level Three administrator believes will help resolve the complaint.

Recordings of the Level One, Level Two, and Level Three conferences, if any, shall be maintained with the Level One, Level Two, and Level Three records.

If the employee did not receive the relief requested at Level Three or if the time for a response has expired, the employee may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the College District, within ten days after receipt of a response or, if no response was received, within ten days of the Level Three response deadline.

The College President or designee shall inform the employee of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The College President or designee shall provide the Board with a record of the Level Three complaint. The employee may request a copy of the Level Three record.

The Level Three record shall include:

1. The Level One record.
2. The Level Two record.
3. The written response issued at Level Three and any attachments.
4. All other documents relied upon by the administration in reaching the Level Three decision.

If at the Level Four hearing the administration intends to rely on evidence not included in the Level Three record, the administration shall provide the employee notice of the nature of the evidence at least three days before the hearing.

The College District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BD]

The presiding officer may set reasonable time limits and guidelines for the presentation including an opportunity for the employee and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.
In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Four presentation. The Level Four presentation, including the presentation by the employee or the employee's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Three.
All College District employees shall perform their duties in accordance with state and federal law, College District policy, and ethical standards.

All College District personnel shall recognize and respect the rights of students, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the College District.

Employees wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

VIOLATIONS

Employees shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to their status as College District employees. Violation of any policies, regulations, or guidelines may result in disciplinary action, including termination of employment. [See DDC and DM series]

ELECTRONIC MEDIA

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites, editorial comments posted on the Internet, and social network sites. Electronic media also includes all forms of telecommunication, such as landlines, cell phones, and Web-based applications.

RECORD RETENTION

An employee shall comply with the College District’s requirements for records retention and destruction to the extent those requirements apply to electronic media. [See CIA]

PERSONAL USE

Employees shall be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee’s use of electronic media violates state or federal law or College District policy, or interferes with the employee’s ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

SAFETY REQUIREMENTS

All employees shall adhere to College District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

ALCOHOL AND DRUGS

A copy of this policy, the purpose of which is to eliminate drug abuse from the workplace, shall be provided each employee at the beginning of each year or upon employment.

Employees shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at the College District or at College District-related activities during or outside of usual working hours:
1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.

2. Alcohol or any alcoholic beverage.

3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.

4. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.

An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.

**EXCEPTIONS**

An employee who manufactures, possesses, or dispenses a substance listed above as part of the employee's job responsibilities, or who uses a drug authorized by a licensed physician prescribed for the employee's personal use shall not be considered to have violated this policy.

**NOTICE**

Each employee shall be given a copy of the College District's notice regarding a drug-free workplace. [See DO(EXHIBIT)]

**TOBACCO USE**

In order to protect and promote the health, safety, and welfare of employees, students, and the public, the College District shall provide an environment free from exposure to tobacco smoke. Neither smoking nor the use of tobacco products (cigars, cigarettes, pipes, chewing tobacco, and snuff) shall be permitted in the College District's main campus facilities, off-campus facilities, or in College District-owned vehicles.

Administrators and other supervisory personnel shall take appropriate steps to provide adequate notice regarding the College District's tobacco use restrictions, including:

1. Posting signs in appropriate places in all College District facilities and vehicles.

2. Permitting the use of tobacco in designated outdoor areas.

3. Prohibiting the sale of tobacco products on the College District campus.

**ARRESTS, INDICTMENTS, CONVICTIONS, AND OTHER ADJUDICATIONS**

An employee shall notify his or her immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony or any offense involving moral turpitude.
MORAL TURPITUDE  Moral turpitude includes but is not limited to:

1. Dishonesty, fraud, deceit, theft, misrepresentation;

2. Deliberate violence;

3. Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;

4. Felony possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;

5. Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period; or

The College District shall maintain a drug-free environment and shall establish, as needed, a drug-free awareness program complying with federal requirements. [See DH] The program shall provide applicable information to employees in the following areas:

1. The dangers of drug use and abuse in the workplace.
2. The College District's policy of maintaining a drug-free environment. [See DH(LOCAL)]
3. Drug counseling, rehabilitation, and employee assistance programs that are available in the community, if any.
4. The penalties that may be imposed on employees for violation of drug use and abuse prohibitions.

All fees or charges associated with drug/alcohol abuse counseling or rehabilitation shall be the responsibility of the employee.
EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

Note: This policy addresses harassment of College District employees. For legally referenced material relating to discrimination and retaliation, see DAA(LEGAL). For harassment of students, see FDE.

OFFICIAL OPPRESSION

A public official commits a Class A misdemeanor if, while acting in his or her official or employment capacity, the official intentionally subjects another to unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, submission to which is made a term or condition of a person's exercise or enjoyment of any right, privilege, power, or immunity, either explicitly or implicitly. Penal Code 39.03

HARASSMENT OF EMPLOYEES

Harassment on the basis of a protected characteristic is a violation of the federal anti-discrimination laws. A College District has an affirmative duty, under Title VII, to maintain a working environment free of harassment on the basis of sex, race, color, religion, and national origin. 42 U.S.C. 2000e, et seq.; 29 CFR 1606.8(a), 1604.11

Harassment violates Title VII if it is sufficiently severe and pervasive to alter the conditions of employment. Pennsylvania State Police v. Suders, 542 U.S. 129 (2004)

Title VII does not prohibit all verbal and physical harassment in the workplace. For example, harassment between men and women is not automatically unlawful sexual harassment merely because the words used have sexual content or connotations. Oncale v. Sundowner Offshore Services, Inc., 523 U.S. 75 (1998)

HOSTILE ENVIRONMENT

Verbal or physical conduct based on a person's sex, race, color, religion, or national origin constitutes unlawful harassment when the conduct:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive working environment;

2. Has the purpose or effect of unreasonably interfering with an individual's work performance; or

3. Otherwise adversely affects an individual's employment opportunities.


QUID PRO QUO

Conduct of a sexual nature also constitutes harassment when:

DATE ISSUED: 4/6/2010
UPDATE 25
DOA(LEGAL)-LJC
1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual.

29 CFR 1604.11(a)

SAME-SEX SEXUAL HARASSMENT


HARASSMENT POLICY

A College District should take all steps necessary to prevent sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate penalties, informing employees of their right to raise and how to raise the issue of harassment under Title VII, and developing methods to sensitize all concerned. 29 CFR 1604.11(f)

CORRECTIVE ACTION

A College District is responsible for acts of unlawful harassment by fellow employees and by nonemployees if the College District, its agents, or its supervisory employees knew or should have known of the conduct, unless the College District takes immediate and appropriate corrective action. 29 CFR 1604.11(d), (e); 1606.8(d), (e)

When no tangible employment action is taken, a College District may raise the following affirmative defense:

1. That the College District exercised reasonable care to prevent and promptly correct any harassing behavior; and

2. That the employee unreasonably failed to take advantage of any preventive or corrective opportunities provided by the employer or to avoid harm otherwise.

Note: This policy addresses discrimination, harassment, and retaliation involving College District employees. In this policy, the term "employees" includes former employees and applicants for employment. For the College District's response to discrimination, harassment, and retaliation involving students, see FDE.

STATEMENT OF NONDISCRIMINATION

The College District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of College District policy.

DISCRIMINATION

Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law, that adversely affects the employee's employment.

HARASSMENT

Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the employee's work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee's performance, environment, or employment opportunities.

EXAMPLES

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, gender identity, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other stereotypes; or other types of aggressive conduct such as theft or damage to property.

SEXUAL HARASSMENT

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission
to or rejection of the conduct is the basis for an employment action affecting the employee; or

2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee’s work performance or creates an intimidating, threatening, hostile, or offensive work environment.

EXAMPLES

Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually motivated conduct, communication, or contact.

RETAILATION

The College District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding harassment or discrimination is subject to appropriate discipline.

EXAMPLES

Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.

PROHIBITED CONDUCT

In this policy, the term “prohibited conduct” includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

REPORTING PROCEDURES

An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her immediate supervisor.

Alternatively, the employee may report the alleged acts to one of the College District officials below.

For the purposes of this policy. College District officials are the ADA/Section 504 coordinator, the Title IX coordinator, and the College President.

DEFINITION OF COLLEGE DISTRICT OFFICIALS

ADA/SECTION 504 COORDINATOR

The College District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended.

DATE ISSUED: 4/6/2010
UPDATE 25
DOA(LOCAL)-AJC
EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

Title IX Coordinator

Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The College District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: Kathryn Patton
Position: Director of Personnel Services
Address: 3800 Charco Road, Beeville, TX 78102
Telephone: (361) 354-2221

Other Anti-Discrimination Laws

The College President or designee shall serve as coordinator for purposes of College District compliance with all other antidiscrimination laws.

Alternative Reporting Procedures

An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the Title IX coordinator, may be directed to the College President or designee.

A report against the College President may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

Timely Reporting

Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the College District's ability to investigate and address the prohibited conduct.

Notice of Report

Any College District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate College District official listed above and take any other steps required by this policy.

Investigation of the Report

The College District may request, but shall not insist upon, a written report. If a report is made orally, the College District official shall reduce the report to written form.

Upon receipt or notice of a report, the College District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the College District
official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

If appropriate, the College District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

The investigation may be conducted by the College District official or a designee or by a third party designated by the College District, such as an attorney. When appropriate, the supervisor shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

CONCLUDING THE INVESTIGATION

Absent extenuating circumstances, the investigation should be completed within ten College District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall be filed with the College District official overseeing the investigation.

COLLEGE DISTRICT ACTION

If the results of an investigation indicate that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

The College District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

CONFIDENTIALITY

To the greatest extent possible, the College District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

APPEAL

A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level.

The complainant may have a right to file a complaint with appropriate state or federal agencies.
RetentionPolicy shallbe in accordance with the College District's records retention procedures. [See CIA]

This policy shall be made available to College District employees on the College District's Web site. Copies of the policy shall be readily available at the College District administrative offices.
STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

Note: This policy addresses harassment of students. For legally referenced material relating to discrimination and retaliation, see FA(LEGAL). For harassment of employees, see DOA.

Sexual harassment of students may constitute discrimination on the basis of sex in violation of Title IX. 20 U.S.C. 1681; 34 CFR 106.11; Franklin v. Gwinnett County Schools, 503 U.S. 60 (1992) [See also FA regarding Title IX]

DEFINITION OF SEXUAL HARASSMENT

Sexual harassment of students is conduct that is so severe, pervasive, and objectively offensive that it can be said to deprive the victim of access to the educational opportunities or benefits provided by the school. Sexual harassment does not include simple acts of teasing and name-calling among school children, however, even when the comments target differences in gender. Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999)

EMPLOYEE-STUDENT SEXUAL HARASSMENT

A College District official who has authority to address alleged harassment by employees on the College District's behalf shall take corrective measures to address the harassment or abuse. Gebser v. Lago Vista ISD, 524 U.S. 274 (1998);

STUDENT-STUDENT SEXUAL HARASSMENT

A College District must reasonably respond to known student-on-student harassment where the harasser is under the College District's disciplinary authority. Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999)
Note: This policy addresses discrimination, harassment, and retaliation involving College District students. For the College District's response regarding discrimination, harassment, and retaliation involving College District employees, see DOA.

STATEMENT OF NONDISCRIMINATION

The College District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, gender, national origin, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of College District policy.

DISCRIMINATION

Discrimination against a student is defined as conduct directed at a student on the basis of race, color, religion, gender, national origin, disability, or on any other basis prohibited by law, that adversely affects the student.

PROHIBITED HARASSMENT

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, gender, national origin, disability, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;

2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or

3. Otherwise adversely affects the student's educational opportunities.

EXAMPLES

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

SEXUAL HARASSMENT BY AN EMPLOYEE

Sexual harassment of a student by a College District employee includes unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A College District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make
an educational decision based on whether or not the student submits to the conduct; or

2. The conduct is so severe, persistent, or pervasive that it:

   a. Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or

   b. Creates an intimidating, threatening, hostile, or abusive educational environment.

BY OTHERS

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;

2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or

3. Otherwise adversely affects the student's educational opportunities.

EXAMPLES

Examples of sexual harassment of a student may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact.

Physical contact not reasonably construed as sexual in nature is not sexual harassment.

RETAIATION

The College District prohibits retaliation against a student alleged to have experienced discrimination or harassment or another student who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding discrimination or harassment is subject to appropriate discipline.

EXAMPLES

Examples of retaliation include threats, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances, such as negative comments that are justified by a student's performance in the classroom.

DATE ISSUED: 4/6/2010
UPDATE 25
FDE(LOCAL)-AJC
PROHIBITED CONDUCT

In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

REPORTING PROCEDURES

Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to an instructor, counselor, administrator, or other College District employee.

Alternatively, a student may report prohibited conduct directly to one of the College District officials below.

DEFINITION OF COLLEGE DISTRICT OFFICIALS

For the purposes of this policy, College District officials are the ADA/Section 504 coordinator, the Title IX coordinator, and the College President.

ADA / SECTION 504 COORDINATOR

Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The College District designates the following person to coordinate its efforts to comply with Title II of the American Disabilities Act of 1990, as amended, which incorporates and expands the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:

Name: Mrs. Velma Elizalde
Position: Dean of Student Services
Address: 3800 Charco Road, Beeville, TX 78102
Telephone: (361) 354-2301

TITLE IX COORDINATOR

Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The College District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: Mrs. Velma Elizalde
Position: Dean of Student Services
Address: 3800 Charco Road, Beeville, TX 78102
Telephone: (361) 354-2301

OTHER ANTI-DISCRIMINATION LAWS

The College President or designee shall serve as coordinator for purposes of College District compliance with all other antidiscrimination laws.
ALTERNATIVE REPORTING PROCEDURES

A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the ADA/Section 504 coordinator or the Title IX coordinator may be directed to the College President.

A report against the College President may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

TIMELY REPORTING

Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the College District’s ability to investigate and address the prohibited conduct.

NOTICE OF REPORT

Any College District employee who receives notice that a student has or may have experienced prohibited conduct shall immediately notify the appropriate College District official listed above and take any other steps required by this policy.

INVESTIGATION OF THE REPORT

The College District may request, but shall not insist upon, a written report. If a report is made orally, the College District official shall reduce the report to written form.

Upon receipt or notice of a report, the College District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the College District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

If appropriate, the College District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

The investigation may be conducted by the College District official or a designee or by a third party designated by the College District, such as an attorney.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

CONCLUDING THE INVESTIGATION

Absent extenuating circumstances, the investigation should be completed within ten College District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.
The investigator shall prepare a written report of the investigation. The report shall be filed with the College District official overseeing the investigation.

**COLLEGE DISTRICT ACTION**

If the results of an investigation indicate that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

The College District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

**CONFIDENTIALITY**

To the greatest extent possible, the College District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

**APPEAL**

A student who is dissatisfied with the outcome of the investigation may appeal through FLD(LOCAL), beginning at the appropriate level. A student shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

**RECORDS RETENTION**

Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]

**ACCESS TO POLICY**

Information regarding this policy shall be made available to College District employees and published on the College District's Web site. Copies of the policy shall be readily available at the College District's administrative offices.
TASB RECOMMENDED POLICY

Note: This policy addresses bullying and dating violence involving College District students. For provisions regarding discrimination and harassment involving College District students, see FDE.

BULLYING AND DATING VIOLENCE PROHIBITED

The College District prohibits bullying and dating violence as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of College District policy and is prohibited.

DEFINITIONS

BULLYING

Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on College District property, at a College District-sponsored or College District-related activity, or in a vehicle operated by the College District and that:

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or

2. Is so sufficiently severe, persistent, and pervasive that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

EXAMPLES

Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name-calling, rumor spreading, or ostracism.

DATING VIOLENCE

Dating violence occurs when one partner in a dating relationship, either past or current, intentionally uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other partner to the point that the abuse:

1. Affects the student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;

2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or

3. Otherwise adversely affects the student's educational opportunities.
EXAMPLES
Examples of dating violence against a student may include physical or sexual assaults, name-calling, put-downs, threats to hurt the student or the student's family members or members of the student's household, destroying property belonging to the student, threats to commit suicide or homicide if the student ends the relationship, attempts to isolate the student from friends and family, stalking, or encouraging others to engage in these behaviors.

REMISSION
The College District prohibits remission by a student or College District employee against any person who in good faith makes a report of bullying or dating violence, serves as a witness, or participates in an investigation.

EXAMPLES
Examples of remission may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful remission does not include petty slights or annoyances.

FALSE CLAIM
A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding bullying, dating violence, or remission as defined by this policy shall be subject to appropriate disciplinary action.

TIMELY REPORTING
Reports of bullying, dating violence, or remission shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the College District's ability to investigate and address the prohibited conduct.

REPORTING PROCEDURES
Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to an instructor, counselor, administrator, or other College District employee.

EMPLOYEE REPORT
Any College District employee who suspects or receives notice that a student or group of students has or may have experienced bullying, dating violence, or remission shall immediately notify the [fill-in title for appropriate administrator].

REPORT FORMAT
A report may be made orally or in writing. The [fill-in title for appropriate administrator] or designee shall reduce any oral reports to written form.

PROHIBITED CONDUCT
The [fill-in title for appropriate administrator] or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FDE, including harassment or discrimination on the basis of race, color, religion, gender, national origin, or disability. If so, the College District shall proceed under policy FDE instead.

FDF(LOCAL)-X
INVESTIGATION OF THE REPORT
The [fill-in title for appropriate administrator] or designee shall conduct an appropriate investigation based on the allegations in the report. The [fill-in title for appropriate administrator] or designee shall promptly take interim action calculated to prevent bullying, dating violence, or retaliation, as defined by this policy, during the course of an investigation, if appropriate.

CONCLUDING THE INVESTIGATION
Absent extenuating circumstances, the investigation should be completed within ten College District business days from the date of the initial report alleging bullying, dating violence, or retaliation, as defined by this policy; however, the [fill-in title for appropriate administrator] or designee shall take additional time if necessary to complete a thorough investigation.

The [fill-in title for appropriate administrator] or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying, dating violence, or retaliation, as defined by this policy, occurred. A copy of the report shall be sent to the [College President] or designee.

COLLEGE DISTRICT ACTION
If the results of an investigation indicate that bullying, dating violence, or retaliation as defined by this policy occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

CORRECTIVE ACTION
Examples of corrective action may include implementing a training program for the individuals involved in the complaint, implementing a comprehensive education program for the College District community, conducting follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving students in efforts to identify problems and improve the College District climate, increasing staff monitoring of areas where bullying, dating violence, or retaliation has occurred, and reaffirming the College District's policy against bullying, dating violence, and retaliation.

IMPROPER CONDUCT
If the investigation reveals improper conduct that did not rise to the level of bullying, dating violence, or retaliation as defined by this policy, the College District may take disciplinary action.

CONFIDENTIALITY
To the greatest extent possible, the College District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.

APPEAL
A student who is dissatisfied with the outcome of the investigation may appeal through FLD(LOCAL), beginning at the appropriate level.
RECORDS RETENTION
Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]

ACCESS TO POLICY AND PROCEDURES
Information regarding this policy and accompanying procedures shall annually be made available to College District employees and students and shall be published on the College District's Web site. Copies of the policy and procedures shall be readily available at the College District's administrative offices.
COASTAL BEND COLLEGE EQUAL OPPORTUNITY POLICY

Coastal Bend College does not discriminate on the basis of race, creed, color, national origin, gender, disability or age in: the recruitment and admission of students; the availability of student loans, grants, and scholarships; the opportunity to participate in student activities; the provision of student services; the use of college housing; the recruitment and employment of faculty and staff; and the operation of any programs and activities as specified by federal laws and regulations. The equal opportunity coordinator and coordinator for compliance with Section 504 of the Vocational Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and the Age Discrimination Act of 1975 is Kathlyn Patton, Director of Human Resources. She has been designated as Affirmative Action Officer and she is responsible for periodic analysis of Coastal Bend College Equal Opportunity Policy actions. Resulting reports are submitted to the president to insure compliance with this policy.

Questions or concerns should be addressed to Kathlyn Patton, Director of Human Resources, Coastal Bend College, 3800 Charco Road, Beeville, Texas 78102, or telephone (361) 354-2221.

Dr. Beatriz Espinoza, President

September 1, 2012
Date
AFFIRMATIVE ACTION PROGRAM POLICY STATEMENT

Coastal Bend College has been, and will continue to be, an equal opportunity, affirmative action employer. To assume full implementation of this policy, Coastal Bend College will assure that:

a. Persons are recruited, hired, and promoted for all jobs without regard to race, color, religion, gender, age, national origin, or disability.

b. Placement decisions are based solely on an individual's qualifications for the position being filled.

c. Other personnel actions -- such as compensation, benefits, transfers, layoffs, return from layoff, college sponsored training or activities are administered without regard to race, color, religion, gender, age, national origin or disability.

Kathlyn Patton, Director of Human Resources, is designated as Affirmative Action Officer. Mrs. Patton is responsible for periodic analysis of Coastal Bend College personnel actions. Resulting reports are submitted to the college president to insure compliance with this policy.

Dr. Beatriz Espinoza, President

September 1, 2012
Date

3800 Charco Road • Beeville, Texas 78102
Coastal Bend College does not discriminate on the basis of race, creed, color, national origin, gender, age, or disability.